



PUBLIC NOTICE

File Number: NRS 15.362

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Mr. Steven Shelley
Kelley Lot Development Inc.
1603 LBJ Freeway #300
Dallas, TX 75234
214-220-3100

LOCATION: Parc at Metro, 341 Athens Way, Nashville, Davidson County, TN.
Latitude: 36.19068 Longitude: -86.80216

PROJECT DESCRIPTION: PROJECT DESCRIPTION:

Impact 1: Latitude: 36.19068 Longitude: -86.80216

The applicant proposes to pump water from and fill two existing limestone borrow pits. The northern pit is 140X90 feet and the southern pit is 125X50 feet with both having a depth of 20-30 feet. The pits would be filled with clean shot rock and pumped alternatively (e.g. pump then fill until the water is completely removed) with the pumped water allowed to flow overland into the storm drain along Athens Way. Pumping directly into the Cumberland River is not possible as this site is on the opposite side of Highway 41A and does not have a direct connection to the river. Upon reaching final grade the site will be capped with top soil and planted as green space.

No mitigation would be required for this activity.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: Ground water impacts only.

PERMIT COORDINATOR: Brian Canada

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource

compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243



VICINITY MAP - NOT TO SCALE
 (SOURCE: GOOGLE EARTH, APRIL 2014)

DRAWING SOURCE: MASTER SITE PLAN, BERNARD L. WEINSTEIN & ASSOCIATES, 05/07/2007
 AERIAL SOURCE: GOOGLE EARTH, APRIL 2014

TEST PIT LOCATION AND IDENTIFIER
 TP-19

DEC 09 2015